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Attorney Docket No. HTEC-008/04US

PATENT

19270 U.S. PTO

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**Mail Stop Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NEW CONTINUATION PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a continuation application under 37 C.F.R. §1.53(b) of pending Patent Application No. 10/128,105 filed on April 23, 2002, entitled METABOLIC CALORIMETER EMPLOYING RESPIRATORY GAS ANALYSIS, by inventor James R. Mault,

Enclosed are:

- ☒ A copy of the originally filed U.S. Patent Application No. 10/128,105 filed on April 23, 2002, entitled METABOLIC CALORIMETER EMPLOYING RESPIRATORY GAS ANALYSIS, including:
  - ☒ 13 pages of description (before the claims);
  - ☒ 11 pages of claims (47 total claims; 3 independent claims);
  - ☒ 1 sheet of Abstract; and
  - ☒ 2 sheets of drawings including Figures 1-3 ; and
- ☒ Return receipt postcard

Please amend the specification by inserting before the first heading the following paragraph:

This application is a continuation application of U.S. Patent Application No. 10/128,105, filed on April 23, 2002, which is a continuation of U.S. Patent Application No. 09/601,589, which is the National Stage of International Application No. PCT/US99/02448, filed on February 5, 1999, which claims the benefit of U.S. Provisional Application No. 60/073,812, filed on February 5, 1998, and U.S. Provisional Application No. 60/104,983, filed on October 20, 1998, the entire contents of which are hereby incorporated by reference.

Cancel in this application original claims 2-47 of the prior application before calculating the filing fee.

This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

The Power in the prior application is to Cooley Godward LLP.

Please direct all future correspondence concerning this application to:

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663

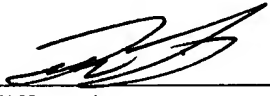
CUSTOMER NUMBER: 23419

Dated: November 12, 2003

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663

Respectfully submitted,  
COOLEY GODWARD LLP

By:

  
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Cliff Z. Liu  
Reg. No. 50,834